



General Assembly

January Session, 2007

***Raised Bill No. 1060***

LCO No. 3723

\*03723\_\_\_\_\_ED\_\*

Referred to Committee on Education

Introduced by:  
(ED)

***AN ACT CONCERNING SCHOOL EXPULSIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 10-233d of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2007*):

4 (a) (1) Any local or regional board of education, at a meeting at  
5 which three or more members of such board are present, or the  
6 impartial hearing board established pursuant to subsection (b) of this  
7 section, may expel, subject to the provisions of this subsection, any  
8 pupil whose conduct on school grounds or at a school-sponsored  
9 activity is violative of a publicized policy of such board or is seriously  
10 disruptive of the educational process or endangers persons or property  
11 or whose conduct off school grounds is violative of such policy and is  
12 seriously disruptive of the educational process, provided a majority of  
13 the board members sitting in the expulsion hearing vote to expel and  
14 that at least three affirmative votes for expulsion are cast. In making a  
15 determination as to whether conduct is seriously disruptive of the  
16 educational process, the board of education or impartial hearing board  
17 may consider, but such consideration shall not be limited to: (A)

18 Whether the incident occurred within close proximity of a school; (B)  
19 whether other students from the school were involved or whether  
20 there was any gang involvement; (C) whether the conduct involved  
21 violence, threats of violence or the unlawful use of a weapon, as  
22 defined in section 29-38, and whether any injuries occurred; and (D)  
23 whether the conduct involved the use of alcohol.

24 (2) Expulsion proceedings pursuant to this section, except as  
25 provided in subsection (i) of this section shall be required whenever  
26 there is reason to believe that any pupil (A) on school grounds or at a  
27 school sponsored activity, was in possession of a firearm, as defined in  
28 18 USC 921, as amended from time to time, or deadly weapon,  
29 dangerous instrument or martial arts weapon, as defined in section  
30 53a-3, (B) off school grounds, did possess such a firearm in violation of  
31 section 29-35 or did possess and use such a firearm, instrument or  
32 weapon in the commission of a crime under chapter 952, or (C) on or  
33 off school grounds, offered for sale or distribution a controlled  
34 substance, as defined in subdivision (9) of section 21a-240, whose  
35 manufacture, distribution, sale, prescription, dispensing, transporting  
36 or possessing with intent to sell or dispense, offering, or administering  
37 is subject to criminal penalties under sections 21a-277 and 21a-278.  
38 Such a pupil shall be expelled for one calendar year if the local or  
39 regional board of education or impartial hearing board finds that the  
40 pupil did so possess or so possess and use, as appropriate, such a  
41 firearm, instrument or weapon or did so offer for sale or distribution  
42 such a controlled substance, provided the board of education or the  
43 hearing board may modify the period of expulsion for a pupil on a  
44 case by case basis.

45 (3) Unless an emergency exists, no pupil shall be expelled without a  
46 formal hearing held pursuant to sections 4-176e to 4-180a, inclusive,  
47 and section 4-181a, provided whenever such pupil is a minor, the  
48 notice required by section 4-177 and section 4-180 shall also be given to  
49 the parents or guardian of the pupil. If an emergency exists, such  
50 hearing shall be held as soon after the expulsion as possible. The notice

51 shall include information concerning legal services provided free of  
52 charge or at a reduced rate that are available locally and how to access  
53 such services.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2007</i>	10-233d(a)
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***Statement of Purpose:***

To include information in notices of expulsion regarding the availability of free or reduced rate legal services.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*